

UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 1/22/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your Rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Randall Howell Witwer
aka Randy Witwer, aka Randy H. Witwer
100 Hanui Street, Apt. 212
Lahaina, HI 96761

Case Number:
10-00178

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-3977

Attorney for Debtor(s) (name and address):
Joseph T. Toma
24 N. Church Street, Suite 312
Wailuku, HI 96793
Telephone number: 808.244.2223

Bankruptcy Trustee (name and address):
Dane S. Field
P.O. Box 4198
Honolulu, HI 96812
Telephone number: 808.232.8788

Meeting of Creditors

Date: **March 9, 2010**

Time: **01:30 PM**

Location: **J. Walter Cameron Center, 95 Mahalani Street, Wailuku, HI**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: 5/10/10

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:
1132 Bishop Street
Suite 250
Honolulu, HI 96813
Telephone number: (808) 522-8100

For the Court:
Clerk of the Bankruptcy Court:
Michael B. Dowling

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: 1/23/10

EXPLANATIONS

B9A (Official Form 9A) (12/09)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	<p>The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.</p> <p>A statement asserting that the debtor is ineligible to receive a discharge because 11 U.S.C. § 522(q)(1) may be applicable must be filed not later than the deadline to file a complaint objecting to discharge.</p>
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Trustee's Sale of Property Under \$2,500	Unless an objection is filed within 21 days after the date of this notice, the trustee may sell property of the estate without further notice or hearing if the property's aggregate gross value is less than \$2,500.
Refer to Other Side for Important Deadlines and Notices	

CERTIFICATE OF NOTICE

District/off: 0975-1
Case: 10-00178

User: darlene
Form ID: b9a

Page 1 of 1
Total Noticed: 27

Date Rcvd: Jan 25, 2010

The following entities were noticed by first class mail on Jan 27, 2010.

db Randall Howell Witwer, 100 Hanui Street, Apt. 212, Lahaina, HI 96761
aty +Joseph T. Toma, 24 N. Church Street, Suite 312, Wailuku, HI 96793-1608
tr +Dane S. Field, P.O. Box 4198, Honolulu, HI 96812-4198
988947 +American Leak Detection, 2525 Cruzen Street, Nashville, TN 37211-2110
988948 +Bank of America VISA, PO Box 60069, City of Industry, CA 91716-0069
988949 +Bradford R. Ing, Ing & Jorgensen, a LLLP, 2145 Wells Street, Suite 204,
Wailuku, HI 96793-2225
988951 Chase BP Private Lable, 800 Yorrksedge Blvd., Westerville, OH 43081
988953 +Cindy Jean Vernon, 5116 Brick Church Pike, Goodlettsville, TN 37072-9001
988955 +Citibank, PO Box 6497, Sioux Falls, SD 57117-6497
988954 +Citibank, Shell Credit Card, PO Box 6497, Sioux Falls, SD 57117-6497
988956 Citicorp Credit Services, Inc., Card Service Center, Sioux Falls, SD 57117
988960 +Home Depot, Home Depot Credit Services, PO Box 6028, The Lakes, NV 88901-6028
988962 Independence Bank, PO Box 3850, Owensboro, KY 42302
988964 +Jones Stone Company, 2705 Larmont Drive, Nashville, TN 37204-2822
988965 +Metro Ready Mix Concrete LLC, 1136 2nd Avenue North, Nashville, TN 37208-1702
988967 South Central Pool Supply, 185 2nd Avenue, Nashville, TN 37201
988968 +Sprint, KSOPHT01012-Z4300, Overland Park, KS 66251-0001
988969 +Suntrust Bank, 400 Lakeside Drive, Horsham, PA 19044-2315

The following entities were noticed by electronic transmission on Jan 26, 2010.

tr +EDI: QDSFIELD.COM Jan 25 2010 21:33:00 Dane S. Field, P.O. Box 4198,
Honolulu, HI 96812-4198
988946 +EDI: AMEREXPR.COM Jan 25 2010 21:33:00 American Express, PO Box 360001,
Fort Lauderdale, FL 33336-0001
988948 +EDI: BANKAMER2.COM Jan 25 2010 21:33:00 Bank of America VISA, PO Box 60069,
City of Industry, CA 91716-0069
988952 EDI: CHRYSLER.COM Jan 25 2010 21:33:00 Chrysler Financial, PO Box 5055,
Southfield, MI 48086
988950 +EDI: CHASE.COM Jan 25 2010 21:33:00 Chase, Cardmember Services, PO BOX 94014,
Palatine, IL 60094-4014
988957 EDI: DISCOVER.COM Jan 25 2010 21:33:00 Discover Card, PO BOX 8003,
Hilliard, OH 43026-8003
988958 +EDI: RMSC.COM Jan 25 2010 21:33:00 GECCCC, 345 St. Peter St., Saint Paul, MN 55102-1211
988959 +EDI: RMSC.COM Jan 25 2010 21:33:00 Green Tree Servicing LLC, 7360 S. Kyrene,
Tempe, AZ 85283-8432
988961 +EDI: HFC.COM Jan 25 2010 21:33:00 Household Finance, HSBC (fka Household Finance),
PO Box 2013, Buffalo, NY 14240-2013
988963 EDI: IRS.COM Jan 25 2010 21:33:00 Internal Revenue Service, P.O. Box 21126,
Philadelphia, PA 19114-0326
988966 +EDI: AMSOUTH.COM Jan 25 2010 21:33:00 Regions Financial Corp., PO Box 10063,
Birmingham, AL 35202-0063
988966 +E-mail/Text: Bankruptcy.Dept.MGM@Regions.com Regions Financial Corp.,
PO Box 10063, Birmingham, AL 35202-0063

TOTAL: 12

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 27, 2010

Signature:

